

Amendments to the Drawings:

The attached replacement drawing sheet makes changes to Fig. 2 and replaces the original sheet with Fig. 1, 2 and 3.

Attachment: Replacement Sheet

REMARKS

Claims 1-7 are pending in this application. The Office Action rejects claim 1 on the ground of nonstatutory obviousness-type double patenting; rejects claims 1-7 under 35 U.S.C. §112; and rejects claims 1-7 under 35 U.S.C. §103(a). Applicants hereby amend claims 1 and 2, and Fig. 2. Support for amended Fig. 2 can be found, for example, in the specification as filed at page 2, lines 30-31 and page 4, lines 1-5. No new matter is added.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration as the amendments amplify issues previously discussed throughout prosecution; (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because e.g. they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

I. Rejections Under 35 U.S.C. §112

The Office Action rejects claims 1-7 under 35 U.S.C. §112, first paragraph, for allegedly lacking support for certain limitations; and rejects claims 2-7 under 35 U.S.C. §112, second paragraph, as being indefinite. The Office Action asserts that "vertical projection of the slot" is not supported in the instant disclosure; and that claim 2 is indefinite for reciting "and a line has a smaller distance to an edge of another plate than to an edge of the one plate." Applicants hereby amend claims 1 and 2 and traverse the rejections.

Support for the recitation of "wherein the vertical projection of the slot" in claim 1 can be found, for example, in the specification as filed at, page 5, lines 28-30. Thus, this limitation has support in the specification.

Claim 2 has been amended to recite "and the line through the center of the spinning field has a smaller distance to the edge of the plate of which the upper side has the longest distance to the center of the spinning field than to the edge of the other of the plates." Thus, the limitations of claims 1-7 are fully supported by the specification, and claim 2 is clear and understandable.

Reconsideration and withdrawal of the rejections are respectfully requested.

II. Rejections Under 35 U.S.C. §103 and on grounds of Nonstatutory Obviousness-Type Double Patenting

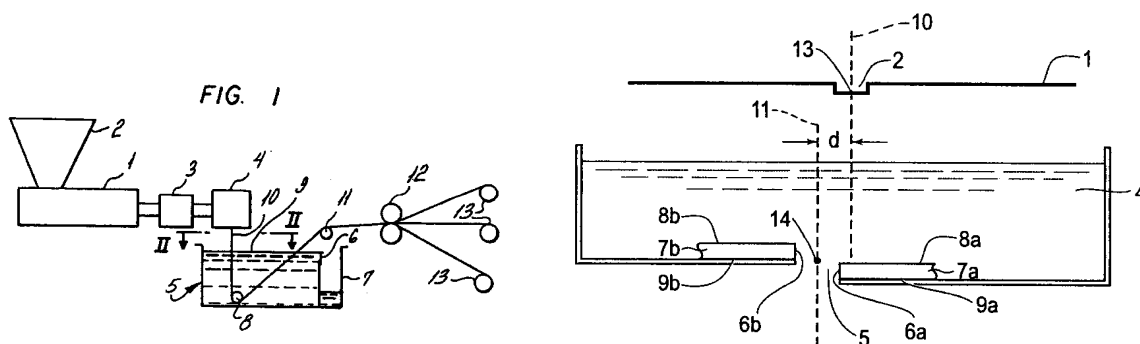
The Office Action rejects claim 1 on the grounds of nonstatutory obviousness-type double patenting over claim 9 of Meerman et al. in view of Roberts; and rejects claims 1-7 under 35 U.S.C. §103(a) over Meerman in view of Roberts. Applicants amend claims 1 and 2 and respectfully traverse the rejections.

The Office Action asserts that Meerman teaches each feature of instant claims 1 and 2 except for "a line through the center of the spinning field and perpendicular to the upper sides of the plates," having certain characteristics, which is allegedly taught by Roberts. In so doing, the Office Action mistakenly asserts that Meerman discloses "wherein the vertical projection of the slot or diaphragm has about the same size and shape as the vertical projection of the spinning field," that the center of the slot is not longer in the vertical position with respect to the center of the spinning field, and that Roberts discloses an analogous spinning method. Because Meerman and Roberts in fact do not teach or suggest all of these claim limitations, the claims would not have been obvious over the cited references.

Meerman describes an air gap wet spinning process whereby extrudates are passed through inert gas and a coagulation bath in succession. See Meerman col. 1, lines 12-15. Meerman's polymer passes through a sulfuric acid bath to remove the solvent. In Meerman, a prior reference JP 1986-239012 is described wherein the shape of the spinning field and a

hole in a coagulation bath are both rectangular; however, Meerman nowhere teaches or suggests a vertical projection of the slot or diaphragm having about the same size and shape as the vertical projection of the spinning field. Accordingly, Meerman also nowhere describes the center of a slot as not longer in the vertical position with respect to the center of the spinning field. Roberts fails to remedy Meerman's deficiencies in at least these regards and, further, is a non-analogous process that is improperly combined with Meerman.

Roberts describes a melt-spinning process whereby a polymer is entered into the molten state and then quenched to solidify the filaments. In Roberts, baffles form a separate portion of the vessel in which quenching solidifies the filaments, and the yarn guides 18-22 are configured to guide the filament out of the bath. See Roberts, col. 2, lines 29-31 and 53-55. The quenching liquid leaves through Aperture 44. See col. 4, lines 42-47. Fig. 1 of Roberts is shown below. In other words, as depicted in Fig. 1, the filament in Roberts is not removed from the bath through an aperture, but rather, the filament is removed from the open surface of the bath because Roberts' guide bars are positioned *in the bath*. See Roberts Fig. 1, as compared to Fig. 2 of the present application:



Roberts nowhere discloses a slot or an aperture; and thus Roberts cannot be said to disclose "the upper sides is located at a distance (d) from a parallel line through the center of the slot or diaphragm," or a lateral shift of the center of the slot with regard to the spinning field.

In contrast, instant claim 1 recites, "and wherein the slot or diaphragm is positioned at the bottom of the coagulation bath." Thus, the claimed slot is positioned on the barrier between the quenching bath and the outside of the spinning unit; when the fiber leaves the coagulation bath through slot 5, the solvent is scraped away by the edges of the slot. See specification at page 2, lines 29-30, and page 4, lines 1-5. See also amended Fig. 2, attached, and as shown above.

Similarly, instant claim 2, from which claims 3-7 depend, recites "line through the center of the slot or diaphragm, wherein the vertical projection of the slot or diaphragm has about a same size and shape as the vertical projection of the spinning field." Instant slot 5 clearly has no corresponding feature in Roberts.

Thus, the only substantial similarities between Roberts and the instant disclosure is that they are each directed to spinning methods, and that Roberts mentions the problem of wave motions in the quenching bath. However, Roberts' melt-spinning process is non-analogous to both Meerman and the claimed air gap wet spinning process. Roberts reduces wave motion with a baffle arrangement that provides a quenching compartment and side compartment; the calm is not attributable to Roberts' yarn guides. Further, Roberts' featured guide bars and openings are non-analogous to the instantly claimed slot or aperture configuration and cannot be said to relate to the claimed lateral shift of the slot with respect to the spinning field. It would thus not have been obvious to view Roberts from Meerman in order to have obtained the features of instant claims 1 or 2, from which claims 3-7 depend, because the features of Roberts and each of Meerman and the claimed invention are non-analogous; thus doing so would not have obtained the claimed features.

For at least the foregoing reasons, instant claims 1-7 would not have been obvious over Meerman in view of Roberts. Reconsideration and withdrawal of the rejection are earnestly solicited.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-7 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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WPB:RCC/lah

Attachment:
Replacement Sheet - Fig. 2

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